REMARKS/ARGUMENTS

These remarks are submitted responsive to the office action dated October 6, 2006 (Office Action). As this response is filed within the three-month shortened statutory period, no fees are believed due. The Examiner is expressly authorized, however, to charge any deficiencies in fees or credit any overpayment to Deposit Account No. 50-0951.

Claims 1-2, 7-8, 14-20, 22, 32-33, 38-39, and 45-51 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Published Patent Application No. 2002/0178232 to Ferguson (hereinafter Ferguson), in view of U.S. Patent No. 6,745,237 to Garrity *et al.* (hereinafter Garrity) and further in view of U.S. Patent No. 5,899,995 to Miller *et al.* (hereinafter Miller). Claims 5, 6, 21, 24, 25, 36, 37, and 52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ferguson in view of Garrity and Miller, and further in view of U.S. Patent No. 5,918,013 to Mighdoll *et al.* (hereinafter Mighdoll). Claims 10, 11, 13, 41, 42, and 44 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Ferguson in view of Garrity and Miller, and further in view of U.S. Patent No. 6,119,135 to Helfman (hereinafter Helfman). Claims 3, 4, 23, 34, and 35 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Ferguson in view of Garrity and Miller, and further in view of what is asserted in the Office Action to be well known in the art. Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Published Patent Application No. 2002/0178232 to Ferguson (hereinafter Ferguson), in view of U.S. Patent No. 6,745,237 to Garrity *et al.* (hereinafter Garrity).

Applicants have amended independent Claims 1, 22, 32, and 59 to emphasize certain aspects of the invention. The claim amendments, as discussed herein, are fully supported throughout the Specification. No new matter has been introduced by the amendments.

Applicants' Invention

It may be useful at this juncture to reiterate certain aspects of Applicants' invention. One embodiment of the invention, exemplified by Claim 59, is a method for presenting and managing hypermedia content in a hypermedia content presentation system that has been configured to access hypermedia content from a plurality of network-linked sources through a local client system. The method can include presenting hypermedia content, wherein the hypermedia content contains hyperlinks to additional hypermedia content. The method also can include receiving a user selection of at least one of the hyperlinks and, in response to a user's selecting at least one of the hyperlinks, storing the user-selected hyperlinks in a delayed viewing list.

The method further can include analyzing data storage resources of the local client system, as well as analyzing the processing resources of the local client system and/or transmission bandwidth of a network connection between the local client system and a proxy server. (See, e.g., Specification, p. 12, lines 3-12, and p. 15, lines 23-27.) The analyzing step can be performed so as to determine whether at least one resource-constrained condition for the local client system exists. If such a condition exists, it implies that at a given instant of time the local client system's available resources are insufficient to store data, process data, or exchange data via the network connection to the proxy server. (See, e.g., Specification, p. 12, lines 6-9; see also Specification, p. 16, lines 7-15.)

Additionally, the method can include caching hypermedia content associated with the stored hyperlinks during the presenting step if no resource-constrained condition for the local client system exists, and alternatively, delaying caching hypermedia content associated with the stored hyperlinks as long as at least one resource-constrained condition exists. (See, e.g., Specification, p. 12, lines 13-24; and p. 15, line 27 – p. 16, line 6.)

The Claims Define Over The Prior Art

As already noted, independent claims 1, 22, and 32 were rejected as being unpatentable over Ferguson in view of Garrity and Miller. Claim 59 was rejected as being unpatentable over Ferguson in view of Garrity. As observed at pages 3 and 11 of the Office Action, however, Ferguson teaches neither downloading nor delaying downloading hypermedia content based upon an evaluation of a local client system's available resources, as recited in each of the independent claims, as amended.

Nonetheless, it is further asserted at pages 3 and 11 of the Office Action that such a feature is taught by Garrity. Garrity is directed to a method and apparatus for managing delivery of data from a content provider to a client terminal. In particular, the task of managing and scheduling content delivery falls upon the content provider. (See e.g., Col. 6, lines 33-67). In Garrity, the content provider connects with a bandwidth resource manager to determine whether sufficient bandwidth resources exist to accomplish the data transfer. Furthermore, the content provider analyzes the proposed path for the data to review if sufficient storage exists for storing staged content, should the need arise. In either case, Garrity is only directed at determining whether sufficient network resources are currently available to the content provider to transmit data over the network. (See e.g., Col. 9, lines 44-67). Applicants therefore respectfully submit that Garrity fails to teach the evaluation of the local client's resources as recited in the present invention.

In the present invention, whether or not delayed hypermedia content is downloaded is based on the currently available resources of the local client system. In contrast to Garrity, the local client system analyzes local system capacity, not network path capacity to make the determination of whether or not to cache the hypermedia content. In particular, the present invention determines whether sufficient storage exists for caching the hypermedia content locally, whether sufficient processing resources exist to process and execute the hypermedia content locally, and whether sufficient bandwidth

between the local client system and the proxy server servicing the local client system exists.

Further, as already noted, Claims 1, 22, and 32 were rejected under Ferguson and Garrity in view of Miller. On page 4 of the Office Action is also noted that neither Ferguson nor Garrity teach or suggest both organizing cached hypermedia content and storing delayed viewing list entries into a series of topic folders corresponding to different topics such that each entry is stored in a topic folder containing associated hypermedia content, as further recited in the claims. Nonetheless, it is asserted at page 4 of the Office Action that such a feature is taught by Miller. Miller describes the automatic organizing of files into folders based on file attributes, file content attributes, or some expression based on the file attributes or file contents. (See e.g., Col. 3, line 36 – Col. 4, line 20). However, Applicants respectfully submit that Miller fails to teach or suggest organizing files based on the relationship between them. The present invention organizes files based on their relationship to each other, not on file attributes or file content; for example, the delayed viewing list entry and the associated hypermedia content would be stored in the same folder, regardless of file attributes or file content. Miller determines that files are related only if, after comparing files, the files appear to be similar types of files (see e.g., Col. 4, lines 7-20), as opposed to actually being related or associated files, as described in the present invention.

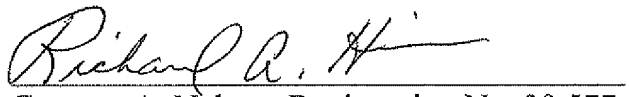
Accordingly, even when combined, Garrity and Miller, alone or in combination with any other reference, fail to teach or suggest every feature recited in independent Claims 1, 22, 32, and 59, as amended. Applicants respectfully submit, therefore, that amended independent Claims 1, 22, 32, and 59 define over the prior art. Applicants further respectfully submit that whereas each of the remaining claims depends from one of the amended independent claims while reciting additional features, these claims likewise define over the prior art.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

Date: **December 6, 2006**



Gregory A. Nelson, Registration No. 30,577
Richard A. Hinson, Registration No. 47,652
Eduardo J. Quinones, Registration No. 58,575
AKERMAN SENTERFITT
Customer No. 40987
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000